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11 [Full Listing on Signature Page]

12 *Attorneys for Plaintiffs The Regents of the University of Michigan and*
13 *The University of South Florida Board of Trustees*

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **OAKLAND DIVISION**

17 THE REGENTS OF THE UNIVERSITY OF
18 MICHIGAN,
and
19 THE UNIVERSITY OF SOUTH FLORIDA
20 BOARD OF TRUSTEES,

21 Plaintiffs,

22 v.

23 NOVARTIS PHARMACEUTICALS
24 CORPORATION

25 Defendant.

Case No. 4:22-cv-04913-HSG

JURY TRIAL DEMANDED

**JOINT STIPULATION AND
ORDER EXTENDING TIME TO
ANSWER OR OTHERWISE
RESPOND TO COMPLAINT AND
REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE**

[Civil L.R. 6-1, 6-2]

Hearing: November 29, 2022

Judge: Hon. Haywood S. Gilliam, Jr.

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28 **JOINT STIPULATION AND ORDER EXTENDING TIME TO ANSWER OR**
OTHERWISE RESPOND TO COMPLAINT AND REQUEST TO CONTINUE CASE
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1 Pursuant to Civil L.R. 6-1 and 6-2, as supported by the declaration of Kelly A. Del Dotto,
 2 filed herewith, Plaintiffs The Regents of the University of Michigan and The University of South
 3 Florida Board of Trustees (collectively, “Plaintiffs”), and Defendant Novartis Pharmaceuticals
 4 Corporation (“Defendant”), respectfully stipulate as follows:

- 5 1. Plaintiffs filed their complaint against Defendant on August 29, 2022. Dkt. 1.
- 6 2. On August 30, 2022, Judge Gilliam issued a Case Management Conference Order,
 7 setting a Case Management Conference for November 29, 2022. Dkt. 9.
- 8 3. Pursuant to the Court’s Order Setting Initial Case Management Conference and ADR
 9 Deadlines, the parties are required to meet and confer regarding initial disclosures,
 10 early settlement, ADR process selection, and a discovery plan by November 8, 2022.
 11 Dkt. 9. The parties are also required to file an ADR Certification by November 8,
 12 2022. Dkt. 9.
- 13 4. Pursuant to the Court’s Order Setting Initial Case Management Conference and ADR
 14 Deadlines, the parties are required to file a Rule 26(f) Report, complete initial
 15 disclosures or state objections in Rule 26(f) Report, and file a Case Management
 16 Statement by November 22, 2022. Dkt. 9.
- 17 5. Defendant requested additional time to answer or otherwise respond to the Complaint,
 18 and the parties agreed that the deadline for Defendant to answer or otherwise respond
 19 to the complaint be extended by 30 days from September 19, 2022 to October 20,
 20 2022. Dkt. 29.
- 21 6. Defendant, however, requires additional time beyond October 20, 2022 to answer or
 22 otherwise respond to Complaint, to obtain lead counsel.
- 23 7. Plaintiffs agreed that the deadline for Defendant to answer or otherwise respond to the
 24 Complaint be extended by 21 days from October 20, 2022 to November 10, 2022.

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1 8. Given this extension, certain deadlines in the Court's Order Setting Initial Case
2 Management Conference and ADR Deadlines, Dkt. 9, are set to occur before Novartis
3 answers or otherwise responds to the Complaint.
4 9. To allow the parties sufficient time to meet the deadlines set in the Court's Order and
5 meet and confer on the positions to be submitted by the parties in the Rule 26(f) Report
6 and Case Management Statement, the parties respectfully request that the Initial Case
7 Management Conference be continued for two weeks, during the week of December 12
8 or at the Court's convenience.
9 10. There is good cause for the extension to allow Novartis to obtain lead counsel and to
10 allow the parties to fully consider and assess case management early in the case.

11 Accordingly, the parties stipulate that the deadline for Novartis to answer or otherwise
12 respond to the Complaint be extended for an additional 21 days, from October 20, 2022 to
13 November 10, 2022. The parties further respectfully request that the Court continue the Initial
14 Case Management Conference for two weeks, to occur during the week of December 12 or at the
15 Court's convenience.

16
17 Dated: October 11, 2022

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20 REGENTS OF THE UNIVERSITY OF
21 MICHIGAN AND THE UNIVERSITY OF
22 SOUTH FLORIDA BOARD OF TRUSTEES

23 Dated: October 11, 2022

24 **NOVARTIS PHARMACEUTICALS
25 CORPORATION**

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8 **ATTORNEYS FOR DEFENDANT**
9 **NOVARTIS PHARMACEUTICALS**
10 **CORPORATION**

11 **ATTESTATION**

12 Pursuant to Civ. Local Rule 5.1(h)(3) regarding signatures, I attest under penalty of perjury
13 that concurrence in the filing of this document has been obtained from counsel for Novartis
14 Pharmaceuticals Corporation.

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/s/ Kelly A. Del Dotto (pro hac vice)
16 Kelly A. Del Dotto

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

- The deadline for Novartis to answer or otherwise respond to the Complaint is extended to November 10, 2022; and
- The Telephonic Initial Case Management Conference is continued to December 13, 2022 at 2:00 p.m.

Dated: 10/12/2022

Haywood S. Gilliam, Jr.
Hon. Haywood S. Gilliam, Jr.

Hon. Haywood S. Gilliam, Jr.

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